

UNITED STATES DISTRICT COURT

District of  
MASSACHUSETTS

BOGATIN FAMILY TRUST, Individually  
and on Behalf of All Others Similarly  
Situating,

V.

FIDELITY MANAGEMENT AND RESEARCH  
COMPANY, et al.

SUMMONS IN A CIVIL CASE

04 CV 11642-NG

CASE NUMBER:

TO: (Name and address of Defendant)

Person Designated to Accept Service  
FMR CO., INC.  
One Federal Street  
Boston, MA 02110

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

David Pastor  
Gilman and Pastor, LLP  
Stonehill Corporate Center  
999 Broadway, Suite 500  
Saugus, MA 01906

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

CLERK  
*Athena M. Gualdon*  
(By) DEPUTY CLERK

7-23-04  
DATE

AO 440 (Rev. 8/01) Summons in a Civil Action

**RETURN OF SERVICE**

Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE AUGUST 2, 2004
NAME OF SERVER (PRINT) BARBARA L. BEDUGNIS	TITLE CONSTABLE

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served: 82 DEVONSHIRE STREET, BOSTON, MA.
☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: \_\_\_\_\_

☐ Returned unexecuted: \_\_\_\_\_

☒ Other (specify): BY GIVING SAID COPIES IN HAND TO MELISSA SHEA, ASSOCIATE LEGAL COUNSEL AT FIDELITY MANAGEMENT AND RESEARCH COMPANY, 82 DEVONSHIRE STREET BOSTON, MASSACHUSETTS.

**STATEMENT OF SERVICE FEES**

TRAVEL	\$11.00	SERVICES	\$25.00	TOTAL	\$36.00
--------	---------	----------	---------	-------	---------

**DECLARATION OF SERVER**

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on AUGUST 2, 2004  
Date

Barbara L. Bedugnis  
Signature of Server BARBARA L. BEDUGNIS, CONSTABLE  
%ROSCOE, BEDUGNIS & ASSOCIATES  
15 COURT SQUARE, SUITE 450  
BOSTON, MASSACHUSETTS 02108  
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.